THE HON'BLE MR. JUSTICE V.V.S. RAO

MONDAY, THE 19TH DAY OF DECEMBER, 2005

W.P.No. 25074 of 2005

Between:-

Nagandla Gram Panchayat, Nagandla, Inkollu Mandal, Prakasam district, rep., by its Sarpanch, Somepalli Markandeyulu

--Petitioner

And

The District Collector, Ongole, Prakasam district and two others.

--Respondents

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:O R D E R:

Nagandla Gram Panchayat, Nagandla, Prakasam district approached the District Collector with a proposal to extend water supply distribution system in the Scheduled Caste and Scheduled Tribe localities and for deepening the village drinking water well. After the same was processed by the Superintending Engineer, RWS (P) Circle, Ongole, by proceedings dated 24-01-2005, the 1st respondent sanctioned a sum of Rs.1,00,000-00 (Rupees one lakh only) duly according administrative sanction. In the usual course of things, the completion of works would not have taken a longer time. However, the works were not completed thereby compelled the petitioner-Gram Panchayat to seek a writ of Mandamus directing the respondent viz., the District Collector, Ongole, Prakasam district, the Executive Engineer (Panchayat Raj), R.W.S. Division, Ongole to execute the works immediately.

The matter was initially listed before this court on 24-11-2005 and at the request of the learned Assistant Government Pleader for Panchayat Raj, it was adjourned to enable him to get instructions. The matter was further adjourned at least on three occasions to enable the learned Assistant Government Pleader to get instructions.

Heard the learned counsel for the petitioner and the learned Assistant Government

Pleader for Panchayat Raj.

On appreciating the submissions, it becomes clear that though administrative sanction was accorded, the District Collector did not release necessary funds to enable the 2nd respondent to execute the works. It appears that after the petitioner-Gram Panchayat approached this court, the engineering wing again requested the District Collector for release of funds for execution of the works. It is also brought to the notice of this court that the village well, which was to be deepened, is now full of water up to the brim and unless and until the water level recedes, the deepening work cannot be taken up effectively. In that view of the matter, nothing prevents the 2nd and 3rd respondents to proceed with the laying of pipelines to extend the water supply system to SC/ST Colonies. Even for doing so, the District Collector (Panchayat Raj wing) requires to release the amounts immediately.

In view of the above, the writ petition is disposed of directing the 1st respondent to take necessary action for release of the funds for the works for which administrative sanction was granted by the proceedings dated 24-01-2005. This exercise may be completed within a period of six (6) weeks from the date of receipt of a copy of this order; and as and when such funds are released, the 2nd and 3rd respondents shall complete the works immediately before the onset of summer season.

The writ petition is accordingly disposed of. No costs.

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V.V.S. RAO, J

19-12-2005

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